



U.S. DEPARTMENT of STATE

Latvia

Country Reports on Human Rights Practices - [2004](#)

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Latvia is a parliamentary democracy. The Prime Minister, as chief executive, and the Cabinet are responsible for government operations. The President, as head of state, is elected by the Parliament, and Parliament elected Vaira Vike-Freiberga to a second 4-year term in June 2003. The 2002 elections for the 100-seat Parliament and the September 2003 national referendum on accession to the European Union (EU) were free and fair. The Constitution provides for an independent judiciary; however, although there were some improvements during the year, problems remained, including inefficiency and allegations of corruption.

The security forces consist of the national police and other services, who are subordinate to the Ministry of Interior; municipal police who are under local government control; the Military Counterintelligence Service and a protective service, which are under the Ministry of Defense; and the National Guard, an element of the armed forces. Civilian authorities generally maintained effective control of the security forces. Some members of the security forces, including police and other Interior Ministry personnel, committed human rights abuses.

The economy was largely market-based, although some large utility companies remained in state hands, including the national electric company and railroads. The country has a population of approximately 2.3 million. Unemployment was 8.5 percent in November; at year's end, the inflation rate was 7.3 percent; and the overall economic growth rate was 8.5 percent through September.

The Government generally respected the human rights of its citizens and the large resident noncitizen community; however, there were problems in some areas. Police brutality was a problem. Prison conditions remained poor, but facilities for long-term convicts continued to improve. Lengthy pretrial detention was a problem; however, the incidence declined somewhat. The judiciary did not always ensure the fair administration of justice. Societal violence against women remained a problem. Child abuse and child prostitution were problems. Trafficking in women and girls for the purpose of sexual exploitation was a problem.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, there were reports that some government officials employed them. The Government took steps to address the problem.

In February, the U.N. Committee Against Torture expressed concern about "allegations of serious ill-treatment of persons which in some cases could be considered as amounting to torture, by members of the police, especially at the time of apprehension and interrogation of suspects." The Latvian Center for Human Rights and Ethnic Studies (LCHRES) received allegations of severe abuse of persons in custody.

Accurate statistics on allegations of police brutality were unavailable. The Ministry of Interior reported that there were 183

complaints of police brutality in 2003 (including regional and national police forces); internal investigations confirmed 9 acts of abuse, and 12 police officers were punished. During the year, the State Police received 107 complaints of police brutality; investigators confirmed 8 incidents, and police officials punished 5 officers. On February 18, the State Police launched a criminal case against two police officers who beat two individuals apprehended for public drunkenness.

LCHRES expressed concern that victims underreported incidents of police brutality. In February, LCHRES conducted a study in which it operated an anonymous hotline to collect allegations of police brutality. Over a 3-day period, LCHRES received 283 complaints regarding police misconduct, 130 of which referred to police brutality. The Latvian National Human Rights Office (NHRO) received 11 written and 23 verbal complaints regarding misconduct during the year. The NHRO reported that the Ministry of Interior and police officials were cooperative in resolving complaints of police brutality, and the NHRO arranged for meetings between complainants and relevant law enforcement agencies where, according to NHRO officials, the Ministry of Interior collected testimony that it used to identify police officials guilty of abuse.

Prison conditions remained poor, despite renovations and improvements. Progress continued in renovating older facilities. Prisons also continued to be overcrowded; however, overcrowding declined somewhat from 2003. The prison hospital was a major concern, and the Council of Europe (COE) stated that placing inmates in Riga's dilapidated Central Prison hospital amounted to torture. There were 28 short-term facilities in the country designed to house detainees for no more than 72 hours, and both the COE and NHRO stated that conditions such as poor ventilation, and damp, dark, and unsanitary cells violated human rights standards in at least half of these centers.

Female prisoners were held separately from male prisoners, and juveniles were held separately from adults. Persons in pretrial detention (34 percent of the total prison population) had limited contact with outside nongovernmental organizations (NGOs) or family and suffered from considerably worse living conditions than prisoners in general. Pretrial detainees were held separately from convicted criminals.

The Government permitted independent human rights observers to visit prisons. Domestic groups, such as LCHRES, closely monitored prison conditions during the year.

Illegal immigrants were held at the Olaine Detention Camp for Illegal Immigrants. According to an LCHRES report, the camp's physical conditions were acceptable, but the detainees (numbering 10 in October) did not have access to information about their rights and had limited recreation opportunities.

d. Arbitrary Arrest or Detention

The Constitution prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions.

The national police and other services, such as the Special Immigration Police and the Border Guards, are subordinate to the Ministry of Interior; municipal police are under local government control; and the National Guard, an element of the armed forces, also assists in police activities. Allegations of corruption and bribery within law enforcement ranks were frequent and affected the public's perception of police effectiveness. During the year, the State Police Internal Affairs Unit opened corruption-related criminal cases against 19 law enforcement officials, including 13 police officers for bribery; an additional 6 police officers were convicted of bribery.

The law requires the Prosecutor's Office to make a formal decision whether to charge or release a detainee within 72 hours after arrest. Charges must be filed within 10 days of arrest. The courts have responsibility for issuing arrest warrants. Detainees have the right to have an attorney present at any time. These rights are subject to judicial review but only at the time of trial. A bail system exists; however, it was infrequently used and applied most often in cases of economic crimes.

The law limits pretrial detention to no more than 18 months from the first filing of the case; however, lengthy pretrial detention was a problem, which the Ministry of Justice took steps to address. During the year, the court adjudicated cases for the majority (63.7 percent) of defendants facing criminal charges in fewer than 3 months; the court heard 80.5 percent of criminal cases in fewer than 6 months. The court imposed pretrial detention only in violent cases and where pretrial flight was a concern. Fewer defendants experienced pretrial detention of greater than 1 year compared to the previous year. During the year, the country initiated plea-bargaining for the first time. Prosecutors and defendants negotiated pleas and sentencing details in more than 700 cases during the year. The problem of lengthy pretrial detention of juveniles lessened, as courts enforced a 6 month limit for detaining juveniles prior to trial. Longer term detention requires special circumstances and a court order. During the year, the number of minors in pretrial detention decreased to 116 from 239 in 2003.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice; however, significant problems, including inefficiency and allegations of corruption, remained.

The judicial system is composed of district (city) courts; regional courts, which hear appeals from district courts; a separate Administrative Court adjudicates administrative violations; the Supreme Court, which is the highest appeals court; and the

seven-member Constitutional Court, which hears cases regarding constitutional issues at the request of state institutions or individuals who believe that their constitutional rights were violated. For more serious criminal cases, two lay assessors join the professional judge on the bench at the district and regional levels.

Corruption in the judicial system was allegedly widespread. The Anti-Corruption Bureau (ACB) was active. During the year the ACB initiated 35 criminal cases, compared with 21 in 2003. During the year, the Prosecutor General's Office secured a conviction and 10-year sentence against one of its former prosecutors for accepting and soliciting bribes. The ACB arrested and launched a criminal case against another prosecutor for corrupt practices. The Prosecutor General dismissed the accused prosecutor, and the criminal case was ongoing at year's end.

Most judges had inadequate judicial training, and many of the judiciary's decisions were not enforced, due primarily to the lack of an effective bailiff or sheriff system. The law allows for alternative punishments, including community service, and the courts have been using this more frequently. In 2003, the courts sentenced 1,359 defendants to community service, compared with 183 in 1999. Through the first 6 months of the year, 755 defendants received community service sentences.

A time-consuming judicial process and a shortage of judges overloaded the courts. Concern about pretrial detention remained, but the incidence was falling. The NHRO received 108 complaints (including criminal and civil cases) during the first 6 months of the year regarding slow judicial proceedings.

Trials may be closed if government secrets might be revealed or to protect the interests of minors. All defendants have the right to hire an attorney, and the Government provided funds to indigent defendants for this purpose. Defendants have the right to read all charges, confront all witnesses, and may call witnesses and offer evidence to support their case. They also may make multiple appeals.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the Government generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respected these rights in practice and did not restrict academic freedom. The Press Law prohibits censorship of the press or other mass media; however, the Law on the Media contains a number of restrictive provisions regulating the content and language of broadcasts. During the year, the Constitutional Court overturned a law that had limited the hours of television programming that could be broadcast in languages other than Latvian.

The Government generally did not restrict access to the Internet.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly, and the authorities may not prohibit public gatherings; however, organizers of demonstrations must provide advance notice to local authorities, who may change the time and place of public gatherings for such reasons as fear of public disorder. The law also requires protesters to remain specified distances from foreign diplomatic missions, the Parliament, the Prosecutor's Office, and certain other public institutions. Independent human rights organizations argued that the law's provisions were contradictory and confusing. Nevertheless, numerous demonstrations took place peacefully and without government interference during the year.

In August, two NGOs staged a small, unauthorized protest in front of the Parliament against the country's nominee to the European Commission. The Administrative Court sanctioned the organizers. The President and other members of the Government criticized the NGOs, stating that their attempts to influence government decisions violated the Constitution and declared that if NGOs want to engage in politics then they should register as political parties. The NGOs expressed concern that these criticisms could dampen political expression or lead to self censorship. Subsequently, the President publicly noted the important role that NGOs play in civil society.

The Constitution provides for freedom of association, and the Government generally respected these rights in practice; however, the law bars the registration of Communist, Nazi, or other organizations whose activities would contravene the Constitution. Noncitizens may join and form political parties, but there must be at least 200 citizens in the party, and at least half of the total membership must be citizens (see Section 3).

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice; however, bureaucratic problems for minority religions persisted.

There is no state religion; however, the Government distinguishes between "traditional" (Lutheran, Roman Catholic, Orthodox, Old Believers, Baptist, and Jewish) and "new" religions.

Although the Government does not require the registration of religious groups, the law accords religious organizations certain rights and privileges when they register, such as status as a separate legal entity for owning property or for other financial transactions.

According to Ministry of Justice officials, most registration applications were approved once proper documents were submitted; however, the law does not permit simultaneous registration of more than one religious union (church) in a single confession, and the Government has denied applications on this basis.

Foreign evangelists and missionaries were only permitted to hold meetings and to proselytize if domestic religious organizations invited them to conduct such activities. Foreign religious denominations criticized this provision.

The law provides that only representatives of the Evangelical Lutheran, Roman Catholic, Orthodox, Old Believers, Baptist, and Jewish religions may teach religion to students in public schools on a voluntary basis. The State provides funds for this education. Students at state-supported national minority schools also may receive education on the religion "characteristic of the national minority" on a voluntary basis.

In September 2003, vandals overturned tombstones and sprayed anti-Semitic graffiti on the walls of Riga's New Jewish Cemetery; national leaders condemned the act and city authorities quickly repaired the damage. There were no such incidents reported during the year.

The Latvian Nationalist Front, an extremist organization, published anti-Semitic statements in its newspaper, "Deoccupation, Decolonization, Debolshevisation" (DDD). The Ministry of Social Integration referred DDD to the Prosecutor's Office to evaluate whether the publication breaches laws against inciting ethnic hatred.

In October, a nationalist organization distributed a commemorative envelope bearing the likeness of a citizen aviation pioneer who also participated in the Holocaust. The Foreign Minister condemned the activity.

For a more detailed discussion, see the [2004 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice.

The law stipulates that registered permanent resident noncitizens enjoy the right to establish and change residences, travel abroad, and return to the country, and provides for the issuance of a noncitizen travel document that certifies these rights; however, certain rights are denied to noncitizen residents (see Section 3). They are prohibited from working as armed guards or criminal trial attorneys. Noncitizens may own land only under complex procedures and may not purchase land in the border zones. The Government has readmitted noncitizens who claimed refugee status in a foreign country or who voluntarily abandoned their permanent residence and then decided to return to the country to live and work. Noncitizens who left the country as refugees during the Soviet era had no difficulty returning on foreign refugee travel documents for business reasons or for family visits. The Government also extends protections to noncitizen residents who travel abroad.

The law prohibits forced exile, and there were no reports that the Government employed it.

The law provides for the granting of asylum or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol, and the Government has established a system for providing protection to refugees. In practice, the Government provided protection against refoulement, the return to a country where they feared prosecution. The Government granted refugee status or asylum. The Government cooperated with the U.N. High Commissioner for Refugees and other humanitarian organizations in assisting refugees. The Government also provided temporary protection to individuals who may not qualify as refugees under the 1951 Convention/1967 Protocol.

Special immigration police and border guard units helped prescreen asylum requests. Decisions of the Citizens and Migration Affairs Office may be appealed to the Asylum Appeals Board in the Ministry of Justice. In 2003, five persons (three from Egypt, one from Belarus, and one from Azerbaijan) sought but were not granted asylum, and there were eight persons in the country with refugee status. According to government statistics neither asylum nor refugee status was granted to any applicants during the year.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. Free and fair elections for Parliament were held in 2002, and the Parliament elected the President in June 2003.

In February, Einars Repse resigned as Prime Minister. The President invited Indulis Emsis to form a new government. The Parliament approved Emsis' new minority government in March. The Emsis government collapsed on October 28 when the Parliament failed to support amendments to the budget. A new government under Prime Minister Kalvitis was formed in December.

The country entered the EU in May. In June, citizens elected representatives to the EU Parliament.

Only citizens have the right to vote in national and local elections. The Organization for Security and Cooperation in Europe's High Commissioner for National Minorities recommended that the country grant long time noncitizen residents the right to vote in municipal elections. Noncitizens may join and form political parties, but there must be at least 200 citizens in the party, and at least half of the total membership must be citizens.

The election law prohibits persons who remained active in the Communist Party or various other pro-Soviet organizations after January 1991 or who worked for such institutions as the former Soviet Committee for State Security from seeking elected office. During the year, the European Court of Human Rights ruled that barring Tatyana Zhdanok, a citizen and former Communist, from running for Parliament violated the right to free elections and assembly and ordered the Government to pay her approximately \$28,000 (15,000 lats) in compensation. In June, voters elected Zhdanok to serve in the EU Parliament.

There was a widespread perception of corruption throughout all levels of the Government. The ACB initiated 35 criminal cases during the year (compared with 21 in 2003). In the most prominent corruption case, the Prosecutor General secured a conviction and 10-year prison sentence against a prosecutor.

A 1999 Cabinet of Ministers regulation provides a mechanism for public access to government information. The Government generally respected the regulation in practice.

There were 21 women in the 100-member Parliament, which was chaired by a woman. There were 4 women in the 18-member Cabinet of Ministers. The President was a woman. The Speaker of the Parliament was a woman.

Nonethnic Latvians, including ethnic Russians and Poles, served in various elected bodies. According to the Parliament's website, the 100-seat Parliament included 15 ethnic Russians, 1 ethnic Pole, 1 Jew, 1 Karelian, and 4 others who declined to list their ethnicity.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views.

NHRO is an independent governmental institution with a mandate to promote human rights, provide information on human rights, investigate individual complaints, and initiate its own investigations into alleged violations. The office acted as a general ombudsman on social issues and handled a variety of individual complaints, primarily concerning problems with receiving social benefits.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination due to race, gender, language, or disability; however, societal discrimination against women was a problem.

Women

Observers reported that domestic violence was a significant and underreported problem. Victims of abuse often were uninformed about their rights and were reluctant to seek redress through the justice system. Human rights groups asserted that the legal system, including the courts, sometimes did not take domestic violence cases seriously, and that the police were often reluctant to make arrests in such cases.

There were no shelters designed specifically for battered or abused women. There are no specific rape or assault hotlines; however, NGOs managed two crisis hotlines.

The law specifically criminalizes rape but does not recognize spousal rape. During the year, the court convicted 54 persons on

rape charges, 15 persons for sexual abuse, and 15 persons for sexual abuse of children under the age of 16. A local NGO, the Skarbē Crisis Center reported that rape laws were ineffective and stated that rapes were underreported due to a tendency by the police to blame the victim.

Prostitution is legal (although procuring is not), but the NHRO reported that adult prostitutes had no legal protections. Prostitution was widespread and often was linked to organized crime. According to the State Police's vice squad, 300 women in Riga worked regularly as prostitutes. The police further noted that prostitution was becoming less prevalent as the economy continued to grow. There were no state institutions to assist prostitutes; however, the private Latvian Center for Gender Problems provided medical help and social support for prostitutes.

Trafficking in women for sexual exploitation was a problem (see Section 5, Trafficking).

Sexual harassment of women in the workplace, although illegal, reportedly was common. Cultural factors tended to discourage women from coming forth publicly with complaints of abuse.

The law prohibits employment discrimination; however, in practice, women frequently faced hiring and pay discrimination, especially in the emerging private sector. The law puts the burden of proof in gender discrimination cases on the employer; however, NHRO reported that a lack of public awareness limited the law's effectiveness. The law also prohibits women from performing "hard jobs or jobs having unhealthy conditions," which are specified in a list agreed upon by the Cabinet and labor unions.

The law prohibits work and pay discrimination based on gender and requires employers to set equal pay for equal work. Some local NGOs questioned the ability of the Government to enforce gender equality laws, claiming that the police agencies responsible for enforcing such laws lacked the skills to do so.

Children

The law on the rights of the child and constitutional provisions on children provide various protections, including health care and legal protections against physical abuse; however, these provisions were not enforced fully in practice. Schooling is mandatory through the 9th grade, between the ages of 7 and 16, and free through the 12th grade, or age 18.

Abandonment and child abuse, including sexual abuse, were relatively widespread. NGOs reported that laws against child abuse were enforced effectively. Law enforcement authorities have won court suits to remove children from abusive parents and secured convictions in child molestation cases. Children who were from families that were unable to care for them had access to government funded boarding schools that provided adequate living conditions; however, these schools offered lower educational standards than regular state schools.

The Dardedze Center Against Abuse in Riga continued to provide support to abused children. The center offered multidisciplinary treatment and rehabilitation to victims of child abuse and their families.

Child prostitution was a problem; however, police reported that, due to the imposition of severe penalties for rape and sexual exploitation of minors, the reported incidence of child prostitution sharply declined during the year. According to the police, previous estimates that 12 to 15 percent of prostitutes were between the ages of 8 and 18 were exaggerated and noted that there were only a few reported cases during the year. Nevertheless, legal protections for children were enforced rarely in the case of child prostitutes.

Trafficking in young girls for sexual exploitation abroad remained a problem (see Section 5, Trafficking).

There is a national Center for the Protection of the Rights of the Child. A few children's advocacy groups were active, particularly in lobbying for legislation to protect children's rights and for increased welfare payments for children.

Trafficking in Persons

The law prohibits trafficking in persons; however, trafficking in women and girls remained a problem.

The law specifically prohibits "trafficking in persons"; however, most traffickers were prosecuted under a statute of the Criminal Code that prohibits sending persons abroad for sexual exploitation. The law provides for sentences of up to 15 years' imprisonment for trafficking in persons and for sentences of up to 6 years' imprisonment for sending persons abroad for sexual exploitation. During the year, the number of investigations into crimes related to trafficking increased. During the first 8 months of the year, a total of 13 persons were convicted, 11 of them received conditional sentences, which are similar to probation. Although there were severe penalties under the law against trafficking in persons, the courts in all cases only applied those sections of the law that criminalize pimping and alien smuggling for sexual exploitation and did not carry severe penalties.

Cooperation between the border guards, police, and NGOs increased and contributed to the effective control of the border

areas. International cooperation in investigations and prosecutions was well established with Denmark and Germany. In comparison with previous years, cooperation with Swedish, Lithuanian, Estonian, and Finnish law enforcement agencies improved. The Border Guard Service managed an information database used to reveal trafficking trends.

On March 2, the Cabinet approved the National Action Plan to Combat Trafficking in Persons. A high-level working group on trafficking at the Ministry of Interior, including representatives from the State Police, Citizenship and Migration Department, the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Welfare, the Ministry for Children Issues, and NGOs, was the principal government body implementing the action plan.

During the year, the working group successfully guided two amendments to the Criminal Law through the Parliament. The first amended the law to expand the definition of trafficking in persons to include internal trafficking. The second amendment made sending persons abroad for sexual exploitation a felony, increased the penalty under the law to 6 years' imprisonment, and made victims of the crime eligible for special protection. In addition, the working group made the Ministry of Interior's Mucenieki Refugee Center available as a shelter for trafficking victims, developed an anti-trafficking curriculum for high schools, and initiated a study of the problem of sex tourism in the country.

The country was primarily a source and transit point for trafficked victims. The main countries of destination were Germany, Denmark, Switzerland, and England. There were reports, including from the European Police Service, that trafficking in women and girls for prostitution abroad increased. Trafficking within the country also occurred, and women from poor districts were often trafficked for sexual exploitation to Riga, Liepaja, and Ventspils.

Traffickers, primarily organized criminal groups, usually lured victims through offers of false employment for jobs such as dancers, bartenders, and babysitters in European countries. A large number of victims were drawn from the economically depressed areas of the country's eastern regions. While some victims were recruited through job advertisements or modeling and travel agencies, most victims were solicited through direct contact with traffickers. Traffickers often recruited their victims at cafes and clubs, and victims themselves recruited new victims for the traffickers.

There were some assistance programs, principally organized by NGOs and the International Organization for Migration (IOM); however, the Government recognized a need for more government involvement. The Council of Youth Health Centers continued its operations to educate adolescents regarding trafficking issues and to organize local working groups to combat trafficking in Riga and Liepaja. The IOM and several NGOs sponsored conferences on trafficking, and there were multiple anti trafficking education campaigns. In addition, the IOM sponsored an aggressive advertising campaign warning of the dangers of accepting attractive employment offers from abroad. The IOM and others supported a project to invite high school and college students to screenings of the film *Lilya 4-Ever*, which depicts the life of a young trafficking victim.

The Government recognizes its responsibilities for the protection of trafficking victims in the National Action Plan to Combat Trafficking in Persons; however, lack of resources and competing budget priorities have limited its ability to provide direct assistance to trafficking victims. Currently, most assistance to trafficking victims comes from local NGOs. Marta Centers, operating in cooperation with the IOM and partially funded by foreign grants, offered assistance to trafficking victims in the form of crisis counseling, professional referrals, and reintegration assistance. The Government did provide its Mucenieki Refugee Center as a shelter for trafficking victims. At year's end, only 15 victims had sought available assistance.

Persons with Disabilities

There was no discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services.

The law mandates access to buildings for persons with disabilities; however, most buildings were not accessible. Some larger cities, including Riga and Ventspils, have undertaken an extensive wheelchair accessible program at intersections.

No law documents the rights of persons with mental disabilities, nor is there a mechanism for appealing compulsory admission and treatment for mental illness. In March 2003, the LCHRES and the Mental Disability Advocacy Centre (Budapest) stated that "the review procedure for detention on grounds of mental disability fails to meet human rights standards, the criteria for compulsory admission into psychiatric institutions are too broad, and the provisions on consent to treatment does not meet international principles." The NHRO further stated that committed patients suffered abridged rights that prevented them from corresponding with relatives and placed arbitrary restrictions on freedom of communication.

National/Racial/Ethnic Minorities

There was public debate about the existence of discrimination on the basis of ethnicity, particularly with respect to the country's language laws and education reforms, which Russian-speaking minority groups publicly criticized. .

Approximately 1 million residents are of non-Latvian ethnicity, including 677,000 ethnic Russians, 92,000 ethnic Belarusians, 61,000 ethnic Ukrainians, and 58,000 ethnic Poles. More than 78 percent of the country's inhabitants are citizens, including more than 450,000 persons who belong to national or ethnic minorities. There are 470,000 resident noncitizens, of whom an estimated

67 percent are Russian; 13 percent Belarusian; 9 percent Ukrainian; and smaller percentages of Poles, Lithuanians, Jews, Roma, Germans, Tatars, Estonians, and Armenians. Due to the Russification policy pursued during the Soviet era, ethnic Latvians constitute only 58.7 percent of the population, and 75 percent of citizens--and less than 50 percent of the population in four of the country's seven largest cities, including the capital city of Riga.

The country's Romani community nearly was destroyed during the Holocaust. A report by LCHRES in 2003 estimated that the Romani population is between 13,000 and 15,000. While the community received some support from the Government, the LCHRES study reported high levels of unemployment and illiteracy among the Roma. More than 40 percent of Roma have a fourth grade or lower education, and more than 95 percent do not have official employment.

The Government supported education in both Latvian and Russian, as well as in seven other minority languages. However, under the revised Education Law, the Government continued to implement a bilingual education program at the elementary school level, with the goal of providing more than half of the course content in Russian-language secondary schools in Latvian. Although all non-Latvian-speaking students in public schools were supposed to learn Latvian and to study a minimum number of subjects in Latvian, there was a shortage of qualified teachers. State-funded university education was in Latvian, and incoming students whose native language was not Latvian must pass a language entrance examination. Several private institutions offered higher education in Russian.

Section 6 Worker Rights

a. The Right of Association

The law stipulates that workers, except for the uniformed military and police, have the right to form and join labor unions of their own choosing. Union membership was 180,000 out of a workforce of approximately 1 million in 2003.

b. The Right to Organize and Bargain Collectively

Labor unions have the right to bargain collectively and are generally free of government interference in their negotiations with employers. Collective bargaining agreements were common and were negotiated by industry or company. The law recognizes the right to strike, subject to limitations including prolonged prestrike procedures and prohibition of some types of solidarity strikes and political strikes.

Workers exercised the right to strike during the year. Labor regulations prohibit certain professions from striking: Judges, prosecutors, police, fire fighters, border guards, employees of state security institutions, prison guards, and military personnel. A labor law addressing disputes identifies arbitration mechanisms that unions and members of the professions forbidden from striking may use in lieu of striking. There are no special laws or exemptions from regular labor laws in the four special economic zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred (see Section 5).

d. Prohibition of Child Labor and Minimum Age for Employment

The law restricts employment of those under the age of 18 by prohibiting night shift or overtime work. The statutory minimum age for employment of children is age 15, although children between the ages of 13 and 15 may work in certain jobs outside of school hours.

Children were trafficked for sexual exploitation and child prostitution was also a problem (see Section 5).

Inspectors from the Ministry of Welfare's State Labor Inspectorate were responsible for enforcing the child labor laws.

e. Acceptable Conditions of Work

The legally mandated monthly minimum wage of approximately \$146 (80 lats) did not provide a decent standard of living for a worker and family. Through September, the actual average monthly wage was \$378 (206 lats).

The law provides for a mandatory 40-hour maximum workweek with at least one 42-hour rest period weekly, 4 weeks of annual vacation.

The laws establish minimum occupational health and safety standards for the workplace. In the first 6 months of year, 27 fatal workplace accidents and 605 workplace injuries were reported. Workers have the legal right to remove themselves from

hazardous work situations without endangering their continued employment; however, authorities did not enforce this right.